

**MINUTES OF THE
EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE**

Friday, January 26, 2018 • 8:00 a.m. • 25 House Building

Members Present:

Sen. Daniel W. Thatcher, Senate Chair
Rep. Eric K. Hutchings, House Chair
Rep. Bruce R. Cutler, House Vice Chair
Sen. Margaret Dayton
Sen. Lincoln Fillmore
Sen. Jani Iwamoto
Sen. Peter C. Knudson
Sen. Ralph Okerlund
Rep. Cheryl K. Acton
Rep. James A. Dunnigan
Rep. Brian M. Greene

Rep. Ken Ivory
Rep. Brian S. King
Rep. Angela Romero
Rep. Logan Wilde

Members Absent:

Sen. Curtis S. Bramble

Staff Present:

Mr. Gary R. Syphus, Fiscal Analyst
Mr. Alexander R. Wilson, Fiscal Analyst
Ms. Linda Service, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Senate Chair Thatcher called the meeting to order at 8:06 a.m.

1 . 8:05 am: Commission on Criminal and Juvenile Justice Services

Mr. Alex Wilson, Fiscal Analyst, Office of the Legislative Fiscal Analyst (LFA), discussed the Commission on Criminal and Juvenile Justice (CCJJ) base budget options: a technical change, jail reimbursement, the County Incentive Program, and revenue transfers to restricted accounts.

Chair Thatcher commented on his concern regarding jail reimbursement.

Mr. Wilson resumed his presentation.

Ms. Kim Cordova, Executive Director, CCJJ presented the agency response.

Mr. David Walsh, Deputy Director, CCJJ discussed budget matters.

Ms. Joanna Landau, Director, Utah Indigent Defense Commission, presented an overview of the creation of the commission and spoke on non-lapsing balances.

Chair Thatcher clarified the reasons for the recommendations.

Rep. Hutchings asked Ms. Landau a question regarding lapsing or unspent balances. A discussion with Ms. Landau, Mr. Walsh, and Rep. Hutchings followed.

Mr. Reed Richards, Public Relations Coordinator, Utah Sheriffs' Association, clarified the purpose and reason for jail reimbursement.

Rep. Dunnigan and Sen. Thatcher discussed the reasons for reimbursement.

Chair Thatcher and Rep. Hutchings discussed jail partnerships between the state prison and county jail system.

Chair Thatcher suggested considering a motion from Rep. Cutler at the conclusion of CCJJ's presentation.

During Mr. Walsh's concluding remarks, Chair Thatcher clarified what information he would like from CCJJ.

MOTION: Rep. Cutler moved to request that this committee formally request CCJJ put together a work group to look at options to change the incentive on jail reimbursement. The motion passed with a vote of 12 - 0 - 4 .

Yeas-12

Rep. C. Acton
Rep. B. Cutler
Sen. M. Dayton
Rep. J. Dunnigan
Sen. L. Fillmore
Rep. B. Greene
Rep. E. Hutchings
Sen. J. Iwamoto
Rep. B. King
Sen. P. Knudson
Sen. R. Okerlund
Sen. D. Thatcher

Nays-0

Absent-4

Sen. C. Bramble
Rep. K. Ivory
Rep. A. Romero
Rep. L. Wilde

2 . 8:35 am: Department of Corrections

Vice Chair Cutler assumed the chair.

Mr. Gary Syphus, Fiscal Analyst, LFA, presented on the Department of Corrections base budget options.

Chair Thatcher resumed the chair.

[3-UDC Presentation for EOCJ - 26 January 2018](#)

Mr. Rollin Cook, Executive Director, Department of Corrections, presented an overview of the department.

Rep. Hutchings commented on the increase of higher risk offenders.

Mr. Mike Haddon, Deputy Director, Department of Corrections, discussed inmate population, offender supervision population, and reviewed the budget options from the fiscal analyst.

A discussion followed with Mr. Cook and Mr. Haddon responding to questions from several committee members. Topics include the increase and decrease in offender supervision, Daggett and Davis jails, staff compensation and unfilled positions, and health and welfare of staff.

Sen. Fillmore commented he would prefer Corrections comes back to the committee with building block requests to enable better informed priority lists.

3 . 9:25 am: A Performance Audit of Juvenile Justice Services Base Budget and Performance: Juvenile Justice Services

Mr. Brian Dean, Audit Manager, Office of Legislative Auditor General, (OLAG), provided an opening statement and introduced Mr. David Gibson, Audit Supervisor, CISA, OLAG.

[4a-JJS Legislative Audit](#)

Mr. Gibson discussed the "Performance Audit of the Division of Juvenile Justice Services.

Committee members questioned Mr. Dean with regard to concerns with information found in the audit, such as, inaccurate information given to legislators, perhaps "misled" legislators, use of cost per staff beds criteria, definition of "staff beds," staffing more beds than there are people,

Mr. Dean responded to Sen. Dayton regarding credibility within the office. Sen. Dayton suggested putting the presenters under oath.

Mr. John Schaff, Auditor General, responded to Sen. Dayton's concern.

Mr. Dean and Mr. Gibson responded to questions from committee members concerning increases in FTE's and decreases in numbers served, the point at which operation of the facilities moved from effectiveness to ineffectiveness and why there was that pivot, and reporting procedures.

Mr. Gary Syphus put Ms. Ann Silverberg Williamson, Executive Director, Department of Human Services, and Ms. Susan Burke, Director, Division of Juvenile Justice Services under oath to affirm the truth of her testimony.

Ms. Silverberg Williamson offered a presentation.

Ms. Susan Burke, Director, Juvenile Justice Services (JJS), distributed a handout "Juvenile Justice Services Commits to Efficiency and Outcomes for Youth, Families and Communities" and gave the agency response.

[5b-JJS Presentation](#)

Ms. Burke responded to a question from Rep. Hutchings regarding staffing pattern.

Ms. Burke resumed her presentation.

Ms. Burke responded to questions from Sen. Dayton followed up by Rep. Dunnigan discussing the comment in the audit using the word "misled" legislators about cost savings, inappropriate reporting, inefficiencies, and bed counts.

4 . 10:45 am: House Bill 8 - State Agency Fees and Internal Service Fund Rate Authorization

Agenda Item 6 was not considered.

MOTION: Rep. Ivory moved to adjourn. The motion passed with a vote of 10 - 0 - 6 .

Yeas-10

Rep. B. Cutler
Rep. J. Dunnigan
Sen. L. Fillmore
Rep. E. Hutchings
Rep. K. Ivory
Sen. J. Iwamoto
Rep. B. King
Rep. A. Romero
Sen. D. Thatcher
Rep. L. Wilde

Nays-0

Absent-6

Rep. C. Acton
Sen. C. Bramble
Sen. M. Dayton
Rep. B. Greene
Sen. P. Knudson
Sen. R. Okerlund

Senate Chair Thatcher adjourned the meeting.